GOVERNMENT OF INDIA
LAW , JUSTICE AND COMPANY AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:391
ANSWERED ON:22.02.2001
APPOINTMENT OF JUDGES FROM WEAKER SECTION
GANGASANDRA SIDDAPPA BASAVARAJ;GOWDAR MALLIKARJUNAPPA;Y.S. VIVEKANANDA REDDY

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Union Government have directed alL the State Chief Ministers to recommend persons from weaker sections for appointment of judges in the High Courts;

(b) if so, the details thereof:

(c) whether the Government have received any response from the Chief Ministers of the States and UTs;

(d) if so, the details thereof; and

(e) the time by which a final decision for appointment of judges in various high courts from the weaker sections is likely to be taken?

Answer

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS AND MINISTER OF SHIPPING (SHRI ARUN JAITLEY) :

(a) to (e) Appointment of Judges of the High Courts is made under article 217 of theConstitution of India which do not provide for reservation for any caste or class of persons. As per the existing procedure the Chief Justice of a High Court initiates aproposal for appointment of Judges. In view of the provisions of the Constitution,direction cannot be issued for recommending names of persons belonqinq to any caste or class.

The Government have, however, addressed letters to the Chief Ministers of the States andthe Chief justices of the High Courts, from time to time, requesting them to locate persons from the Bar belonging to Scheduled Castes, Scheduled Tribes, other Backward Classes. Minorities and Women who are suitable for appointment as High Court Judges.